

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 19830

PERMIT 13852

LICENSE 8657

ORDER REVOKING IN PART LICENSE FOR DIVERSION AND USE OF WATER

WHEREAS:

1. License 8657 was issued to Rice Properties, Incorporated and was recorded with the County Recorder of Nevada County on June 28, 1968.
2. License 8657 was subsequently assigned to Lake Management Committee.
3. The licensee has filed a request with the State Water Resources Control Board for partial revocation of License 8657.

NOW, THEREFORE, IT IS ORDERED THAT:

1. License 8657 be, and it is, revoked in part by deleting from the right the following:

Amount of water to which right is entitled consisting of one-tenth (0.1) cubic foot per second by direct diversion to be diverted from about April 15 to about November 1 of each year.

The equivalent of such continuous flow allowance for any thirty-day period may be diverted in a shorter time if there be no interference with any other vested rights.

Dated: **JANUARY 14 1983**

Raymond Walsh
Raymond Walsh, Chief
Division of Water Rights



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 19830

PERMIT 13852

LICENSE 8657

THIS IS TO CERTIFY, That

PRICE PROPERTIES, INCORPORATED *(over)*
689 VETERANS BUILDING, REDWOOD CITY, CALIFORNIA 94061

HAS made proof as of AUGUST 22, 1967 *(the date of inspection)*
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
BUTLER CREEK IN NEVADA COUNTY

tributary to DRY CREEK THENCE BEAR RIVER THENCE FEATHER RIVER

for the purpose of IRRIGATION AND RECREATIONAL USES
under Permit 13852 of the Board and that the right to the use of this water has been perfected in
accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of
this right dates from OCTOBER 27, 1960 and that the amount of water to which this right is
entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall
not exceed ONE-TENTH (0.1) CUBIC FOOT PER SECOND BY DIRECT DIVERSION TO BE DIVERTED
FROM ABOUT APRIL 15 TO ABOUT NOVEMBER 1 OF EACH YEAR FOR IRRIGATION PURPOSES AND
THIRTY-FIVE (35) ACRE-Feet PER ANNUM BY STORAGE TO BE COLLECTED FROM ABOUT
NOVEMBER 1 OF EACH YEAR TO ABOUT APRIL 1 OF THE SUCCEEDING YEAR FOR RECREATIONAL
PURPOSES.

THE EQUIVALENT OF SUCH CONTINUOUS FLOW ALLOWANCE FOR ANY THIRTY-DAY PERIOD
MAY BE DIVERTED IN A SHORTER TIME IF THERE BE NO INTERFERENCE WITH OTHER VESTED
RIGHTS.

LICENSEE'S RIGHT HEREUNDER EXTENDS ONLY TO WATER NECESSARY TO KEEP THE
RESERVOIR FULL BY REPLACING WATER LOST THROUGH EVAPORATION AND SEEPAGE, AND TO
REFILL IF EMPTIED FOR NECESSARY MAINTENANCE OR REPAIR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 700 FEET AND EAST 1,800 FEET FROM NW CORNER OF SECTION 1, T14N, R7E, MDB&M,
BEING WITHIN NE1/4 OF NW1/4 OF SAID SECTION 1.

A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

RECREATIONAL USE AT RESERVOIR WITHIN NE1/4 OF NW1/4 AND NW1/4 OF NE1/4 OF SECTION 1,
T14N, R7E, MDB&M AND IRRIGATION OF 5 ACRES WITHIN NE1/4 OF NW1/4 OF SECTION 1, T14N,
R7E, MDB&M.

LICENSEE SHALL MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR
AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS
SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER
ENTERING THE RESERVOIR OR COLLECTED IN THE RESERVOIR DURING AND AFTER THE CURRENT
STORAGE SEASON MAY BE RELEASED INTO THE DOWNSTREAM CHANNEL TO THE EXTENT NECESSARY
TO SATISFY THE DOWNSTREAM PRIOR RIGHTS AND/OR TO THE EXTENT THAT APPROPRIATION OF
SAID WATER IS NOT AUTHORIZED UNDER THIS RIGHT.

11-2.79 Aspd to Lake Management Committee

Licensee shall allow representatives of the Board and other parties, as may be authorized from time to time by the Board, reasonable access to project works to determine compliance with the terms of this license.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUN 25 1968

STATE WATER RESOURCES CONTROL BOARD

K. L. Woodward

Chief, Division of Water Rights

2 JUN 1 1968 NTB